

REMARKS

By this amendment, claims 1, 8-9, 13, 16, 18-19, 23-26 and 28 remain in this application. New dependent claims 29-34 have been added. No new matter has been added.

The courtesy extended by Examiner Victor Nguyen in the telephone interview of April 14, 2004 is acknowledged with appreciation. During the interview, the prior art, Office Action and rejected claims were discussed. Amendments to independent claims 1, 8 and 19 were discussed, and reflected in the amended claims herein.

Turning first to claim 1, claim 1 has been amended to recite the first stent has a longitudinally extending spine and axially spaced circumferentially extending ribs extending from the spine. As discussed during the Interview, the drawings clearly show and support the circumferential recitation. As discussed, neither U.S. Patent No. 5,906,640 to Penn nor 6,264,682 to Wilson teach or suggest this structure. Claim 19 has been similarly amended to recite this structure and is therefore believed patentable over Wilson and Penn as well.

With respect to independent claim 8, in accordance with the discussions in the Interview, claim 8 has been amended to recite the first stent has a plurality of ribs having first end portions and the second stent has a plurality of ribs having second end portions, wherein the first end portions interleave with the second end portions to reduce the cross sectional area for insertion. As shown for example in Figure 18 and described on page 16 of applicants' specification, the end portions interleave, and there is support for this recitation. As discussed with the Examiner, who relied on Figure 14 of Wilson to show interleaving, end portions of Wilson's stent do not interleave.

Claims 9, 13, 16, 18, 23-26, and 28, as well as new dependent claims 29-34 depend directly or indirectly from independent claims 1, 8 and 19 and are therefore believed patentable for at least the same reasons that the independent claims are believed patentable.

With respect to the indefiniteness rejection of claim 16 under 35 U.S.C 112, second paragraph, claim 16 has been amended to recite the main and branch portions each include a longitudinally extending spine as suggested by the Examiner. It has further been amended to delete the recitation of ribs in view of the amendment to claim 8 from which it depends. Withdrawal of the rejection is respectfully requested.

In response to paragraph 1 of the Office Action, claims 2-7, 10-12 14-15 and 20-22 are canceled without prejudice or disclaimer in response to the earlier restriction and election of species requirement.

Applicants respectively submit that in view of the foregoing, the rejection of claims 1,8-9, 13, 16, 18-19, 23-24 and 28 as anticipated by Penn, the rejection of claims 1, 8, 16-19, 26-28 as anticipated by Wilson, and the rejection of claims 25-26 as obvious over Wilson should be withdrawn, and the present application is now in condition for allowance.

Prompt and favorable reconsideration of the present application is respectfully requested. The Examiner is invited to contact the undersigned should the Examiner believe it would expedite prosecution.

Respectfully submitted,

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